

EX PARTE OR LATE FILED

Bell Atlantic  
1300 I Street N.W.  
Suite 400W  
Washington, DC 20005

Patricia E. Koch  
Assistant Vice President  
Federal Regulatory  
(202) 336-7823  
(202) 336-7866 (Fax)



**EX PARTE**

March 24, 1999

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, SW, 8<sup>th</sup> floor  
Washington, DC 20554

**RECEIVED**  
**MAR 24 1999**  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**RE: GTE-Bell Atlantic Merger, CC Docket No. 98-184; Bell Atlantic  
Progress Report On Compliance With Bell Atlantic/NYNEX Merger Order  
Conditions, AAD File No. 98-24**

Dear Ms. Salas:

Please include a copy of this correspondence in the public record of the above-captioned proceedings. Any questions on this filing should be directed to me at either the address or the telephone number shown above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia E. Koch".

cc: Mr. R. Atkinson  
Ms. K. Brown  
Mr. K. Dixon  
Mr. P. Gallant  
Ms. L. Kinney  
Mr. K. Martin  
Ms. C. Matthey  
Mr. T. Power  
Mr. L. Strickling

No. of Copies rec'd  
List ABCDE

043

RECEIVED

MAR 24 1999

Bell Atlantic Corporation  
1095 Avenue of the Americas  
New York, NY 10036  
212 395-1060 Fax 212 719-3349

Ivan G. Seidenberg  
Vice Chairman, President & Chief  
Executive Officer

Federal Communications Commission  
Office of Secretary



March 23, 1999

Hon. William E. Kennard  
Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Dear Chairman Kennard:

I was disappointed to see the article in this morning's Wall Street Journal in which certain FCC officials are trying to negotiate the terms of the Bell Atlantic/GTE merger through leaks to the press. I was equally dismayed by the suggestion, also attributed to unnamed FCC officials, that we have not complied with the conditions from the Bell Atlantic/NYNEX merger.

The reality is that we have complied with each of the conditions, and have spent more than \$30 million and devoted more than 50,000 person-hours to do so.

- ✓ We have produced quarterly performance measurement reports that provide monthly data on some 22 different categories, cover 100 separate performance measures, and contain some 8400 separate measurement entries.
- ✓ We have spent millions of dollars and expended thousands of person hours to deploy common interfaces throughout our 14-state region. Before the merger, Bell Atlantic and NYNEX each had very different interfaces, requiring competing carriers to design and build two different systems to submit orders. Now, in contrast, we have deployed preordering and ordering interfaces based on Electronic Data Interchange and an alternative Web-based interface. As a result, competing carriers can use the same system to submit orders regionwide. And we are going far beyond the requirements of the merger conditions by working with other carriers to standardize, as much as possible, the information that has to be included in order forms submitted over these interfaces as well.
- ✓ We have conducted carrier-to-carrier testing with every carrier that requested it, and will continue to do so. Also, over a year ago, we demonstrated that our interfaces were capable of handling then-expected demand. Actual experience has proven we were right. We have successfully handled the several thousand transactions we have received per day.

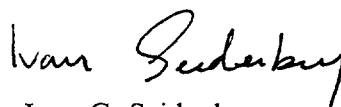
- ✓ We have established optional payment plans for non-recurring charges, and these plans are on file with our state commissions.
- ✓ We have made available shared transport in all of our state jurisdictions, and carriers have obtained over 27,000 lines using this option.
- ✓ We have continued to propose prices after the merger, just as we did before, that not only are based on forward-looking economic costs, as required by the merger conditions, but that also comply with the FCC's TELRIC approach. The actual prices that have been set by state commissions also are fully consistent with the TELRIC standard.
- ✓ We have continued to negotiate in good faith over performance standards and appropriate enforcement mechanisms, and have signed agreements with a number of these carriers. We also have developed a standard template that is available to any carrier that wants it, and, stand ready to negotiate over other terms on request.
- ✓ We have negotiated amendments to existing interconnection agreements as needed to reflect the prospective terms of the conditions.

Likewise, to the extent the press report suggests that we have not opened our local markets to entry by competitors, it is equally wrong. The actions of competitors themselves are the best proof of this fact.

Not only have competitors raised huge sums in the capital markets and invested in facilities in Bell Atlantic's region – or in the case of long distance incumbents, invested billions to buy local competitors with a major presence in Bell Atlantic's region – but they already are in business and serving customers. In fact, competitors already have captured some 1.5 million lines in or region, including more than 800,000 served entirely over their own facilities, focusing on our most lucrative customers.

In short, we have met our obligations under the merger conditions and the Act. I look forward to discussing with you how to introduce badly needed competition to the rapidly expanding empires of AT&T and MCI.

Sincerely,



Ivan G. Seidenberg

cc: Commissioner Ness  
Commissioner Furchtgott-Roth  
Commissioner Powell  
Commissioner Tristani